

REMARKS

Claims 9 to 16 are canceled without prejudice, claims 17 to 39 are added, and therefore claims 17 to 37 are now pending.

In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is therefore respectfully requested.

It is noted that the previously filed Preliminary Amendment did not include the correct claims and claims 9 to 16 are therefore canceled.

New claims 17 to 37 do not add any new matter and are supported by the present application. Claims 17 to 37 correspond to the claims of the originally filed patent application.

Applicants thank the Examiner for acknowledging the claim for foreign priority and for indicating that all certified copies of the priority documents have been received.

In response to the Examiner's requirement for information under 37 C.F.R. 1.98(a)(2), while copies of the references need not be included since they are provided by the International Searching Authority, courtesy copies accompany this response. It is respectfully requested that they be considered and made of record.

Claims 9 to 16 were rejected under 35 U.S.C. § 112, first paragraph, as to the written description requirement, and under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claims 9 to 16 have been canceled herein without prejudice, thereby rendering moot their rejections. Withdrawal of the written description and indefiniteness rejections is therefore respectfully requested.

Claims 9 to 16 were rejected under 35 U.S.C. § 102(b), as being anticipated by U.S. Publication No. 2002/0043417 to Ishizaki et al., ("Ishizaki").

Claims 9 to 16 have been canceled herein without prejudice thereby rendering moot their rejections. Withdrawal of the anticipation rejections is therefore respectfully requested.

New claims 17 to 39 do not add new matter and are supported by the application, including the Specification, as originally filed. Each of claims 17 to 39 provides features that are

not disclosed or suggested by the applied reference, as any review of the applied references makes plain.

Claim 17 is to a method for regulating a state of charge of an energy accumulator for storing electrical energy in a vehicle having a hybrid drive unit, an internal combustion engine and at least one electrical machine which can be coupled to a power train of the vehicle, including the feature of regulating the state of charge of the energy accumulator as a function of a velocity of the vehicle.

Accordingly, claim 17 is allowable, as are its dependent claims. Claim 24 is allowable for essentially the same reasons, as are its dependent claims.

In view of the foregoing, claims 17 to 39 are allowable.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims are allowable. It is therefore respectfully requested that the rejections (and any objections) be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,

KENYON & KENYON LLP

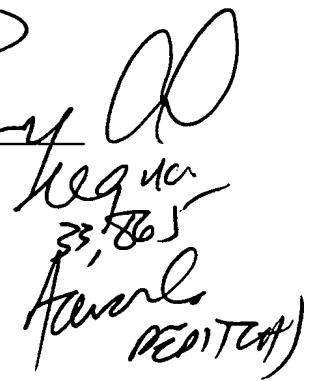
Dated: 7/6/2010

By: 

Gerard A. Messina
(Reg. No. 35,952)

One Broadway
New York, NY 10004
(212) 425-7200

CUSTOMER NO. 26646


Reg. No. 35,952
Haworth
PEPITCA